

UNITED STATES DISTRICT COURT
MIDDLE DISTRICT OF TENNESSEE
NASHVILLE DIVISION

EDWARD TYLER GRAY, II,)	
)	
Plaintiff,)	
)	
v.)	No. 3:04-0425
)	JUDGE ECHOLS
METROPOLITAN GOVERNMENT OF)	
NASHVILLE AND DAVIDSON)	
COUNTY, et al.)	
)	
Defendants.)	

ORDER

For the reasons stated in the Memorandum entered contemporaneously herewith, the Court rules as follows:

(1) Defendant Ellerby's and Coman's Objections to the Report and Recommendation (Docket Entry No. 106) are hereby OVERRULED;

(2) The Magistrate Judge's Report and Recommendation (Docket Entry No. 105) is hereby APPROVED and ADOPTED;

(3) The Motion for Summary Judgment of Defendants Metropolitan Government of Nashville and Davidson County, Jack Copeland, Charles Foster, and Kerry Hall (Docket Entry No. 73) is GRANTED and those Defendants are DISMISSED from this case;

(4) The Motion for Summary Judgment of Defendants Prison Health Services, Inc., Norm Crawford and Stella Steele (Docket Entry No. 79) is GRANTED and those Defendants are DISMISSED from this case; and

(5) The Motion for Summary Judgment of Defendants Charlotte Ellerby and Sarah Coman (Docket Entry No. 79) is GRANTED IN PART and DENIED IN PART. It is GRANTED with respect to Plaintiff's state law claims against those Defendants and DENIED with respect to Plaintiff's civil rights claims under 42 U.S.C. § 1983.

This case will proceed to a jury trial against Defendants Ellerby and Coman on Plaintiff's deliberate indifference claim under 42 U.S.C. § 1983 as scheduled on Tuesday, October 18, 2005, at 9:00 a.m. (Docket Entry No. 115).

It is SO ORDERED.

A handwritten signature in black ink, appearing to read "Robert L. Echols", written in a cursive style.

Robert L. Echols
United States District Judge